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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,201	12/30/2000	Bradley W. Mitchell	42390P10208	8111

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EXAMINER	
ALI, MOHAMMAD	

ART UNIT	PAPER NUMBER
2177	6

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/752,201	MITCHELL, BRADLEY W.	
	Examiner	Art Unit	
	Mohammad Ali	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to Amendment filed on April 20, 2004.

Claims 1-31 are pending in this Office Action.

Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter et al. ('Ginter' hereinafter), USP 6,363,488 in view of Wilke et al. ('Wilke' hereinafter), USP 4,093,223.

With respect to claim 1,

Ginter discloses a method of compiling electronic data (see Abstract) comprising:

(a) receiving electronic data on a computing platform from at least one external source (see col. 55, lines 9-19);

(b) inserting at least a portion of the collected data into one or more data fields, wherein said one or more data fields comprise an electronic scoreboard of interrelated data (see col. 38, lines 23-45);

(c) updating said electronic scoreboard of data (see col. 23, lines 23-45 et seq); and

(d) calculating at least one measurement of updated scoreboard data (col. 35,

lines 25-30 et seq).

Ginter does not explicitly indicate the claimed "scoreboard data".

Wilke discloses the claimed scoreboard data (scoreboard under the control of the game controller automatically displays the present game score, see col. 1, lines 56-60, Wilke).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention, to combined the teachings of the cited references because scoreboard data of Wilke's teachings would have allowed Ginter's system to generate all play action automatically, as suggested by Wilke at col. 1, lines 8-11 et seq. Further, scoreboard data as taught by Wilke improves to display all results instantly in the time frame (see col. 2, lines 32-34, Wilke).

As to claim 2,

Ginter teaches wherein said at least one external source comprises a remote computing platform coupled by a network to the computing platform that receives the electronic data (see col. 33, lines 54-60).

As to claim 3,

Ginter teaches wherein said at least one external source further comprises data collection software executing on said remote computing platform (see col. 33, lines 54-64 et seq).

As to claim 4,

Ginter teaches wherein updating said electronic scoreboard of data comprises removing at least a portion of collected electronic data after a particular amount of time has elapsed (see col. 38, lines 23-45).

As to claim 5,

Ginter teaches wherein updating said electronic scoreboard of data comprises removing at least a portion of collected electronic data after a particular amount of data is collected (see col. 37, lines 40-60 et seq).

As to claim 6,

Ginter teaches wherein said one or more data fields contain one or more periodically updated lists of related electronic data values (see col. 38, lines 23-45 et seq).

With respect to claim 7,

Ginter discloses a method of reporting electronic data, said method (see Abstract) comprising:

(a) retrieving at least a portion of one or more measurement values (see col. 55, lines 10-23 et seq);

(b) comparing a least a portion of one or more measurement values to one or more threshold values (see col. 305, lines 41-55 et seq);

(c) determining whether to designate at least a portion of the electronic data related to the one or more measurement values for reporting, based at least in part on the comparison (see col. 55, lines 60 to col. 56, lines 2, Fig. 2); and

(d) sending at least the portion of the electronic data designated for reporting to a remote device (see col. 33, lines 54-66 et seq).

Ginter does not explicitly indicate the claimed "reports".

Wilke discloses the claimed reports (scoreboard under the control of the game controller automatically displays the present game score and number of possible results "reports" for each play, see col. 1, lines 44-58, Wilke).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention, to combined the teachings of the cited references because reports of Wilke's teachings would have allowed Ginter's system to generate all play action automatically, as suggested by Wilke at col. 1, lines 8-11 et seq. Further, reports as taught by Wilke improves to display all results instantly in the time frame (see col. 2, lines 32-34, Wilke).

As to claim 8,

Ginter teaches wherein the one or more measurement values comprise statistical values obtained from a sample of the electronic data (see col. 33, lines 53-66 et seq).

As to claim 9,

Ginter teaches wherein said one or more threshold values comprise one or more numerical values that relate at least in part to said statistical values (see col. 35, lines 27-32).

As to claim 10,

Ginter teaches wherein the electronic data comprises text data (see col. 33, lines 54-55).

As to claim 11,

Ginter teaches wherein comparing comprises: comparing the one or more threshold values to the one or more measurement values, and issuing at least one electronic report if the one or more measurement values exceeds the one or more threshold values (see col. 35, lines 25-34 et seq).

As to claim 12,

Ginter teaches wherein the one or more threshold values are configurable (see col. 305, lines 44-51 et seq).

As to claim 13,

Ginter teaches wherein the configuration is determined by a user (see col. 33, lines 58-60 et seq).

As to claim 14,

Ginter teaches wherein the remote device comprises a computing platform capable of receiving electronic data (see col. 55, lines 66 to col. 56, lines 2, Fig. 2 et seq).

As to claim 15,

Ginter discloses a method of generating electronic reports (col. 55, lines 10-25, Fig. 2), said method comprising:

(a) collecting electronic data from at least one external source (col. 33, lines 54-66 et seq);

(b) inserting the collection of electronic data into a plurality of associated data fields (col. 38, lines 23-45 et seq);

(c) assigning scores to at least a portion of the data contained in the plurality of data fields (see col. 38, lines 23-45);

(d) issuing electronic reports based at least in part on said scores (see col. 55, lines 10-25, Fig. 2).

Ginter does not explicitly indicate the claimed "scores and reports".

Wilke discloses the claimed scoreboard data (scoreboard under the control of the game controller automatically displays the present game score and number of possible results "reports" for each play, see col. 1, lines 44-58, Wilke).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention, to combined the teachings of the cited references because scores and reports of Wilke's teachings would have allowed Ginter's system to generate all play action automatically, as suggested by Wilke at col. 1, lines 8-11 et seq. Further, scores and reports as taught by Wilke improves to display all results instantly in the time frame (see col. 2, lines 32-34, Wilke).

As to claim 16,

Ginter teaches wherein steps (b), (c) and (d) are repeated based at least in part on additional collected electronic data (see col. 33, lines 54-66 et seq).

With respect to claim 17,

Ginter discloses a method of data reduction (see Abstract) comprising:

receiving interrelated electronic data regarding electronic transactions occurring via at least one selected web site (see col. 55, lines 54 to col. 56, lines 2, Fig. 2);

compiling said interrelated data into a plurality of data fields, said data fields arranged to provide sample statistics of said interrelated data (see col. 38, lines 23-45 et seq);

updating said interrelated electronic data fields with additional data regarding more recent electronic transactions occurring via said at least one selected web site, wherein said updating updates said sample statistics (see col. 38, lines 23-45);

after at least one update, comparing said updated sample statistics with at least one preset threshold value (see col. 35, lines 25-33); and

generating at least one report based at least in part on the comparison (col. 55, lines 10-25, Fig. 2).

Ginter does not explicitly indicate the claimed "transaction occurring".

Wilke discloses the claimed transaction occurring (scoreboard under the control of the game controller automatically displays the present game score and number of possible results "reports" for each play, see col. 1, lines 44-58, Wilke).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention, to combined the teachings of the cited references because transaction occurring of Wilke's teachings would have allowed Ginter's system to generate all play action automatically, as suggested by Wilke at col. 1, lines 8-11 et seq. Further, transaction occurring as taught by

Wilke improves to display all results instantly in the time frame (see col. 2, lines 32-34, Wilke).

As to claim 18,

Ginter teaches wherein said sample statistics comprise at least the mean and standard deviation (see col. 33, lines 53-66 et seq).

As to claim 19,

Ginter teaches wherein said threshold value is configurable (see col. 305, lines 44-51).

As to claim 20,

Ginter teaches and further comprising: updating said one or more data fields by omitting at least a portion of the collected electronic data other than said additional data (see col. 38, lines 23-45 et seq).

As to claim 21,

Ginter discloses a method of displaying electronic data, said method (see Abstract) comprising:

(a) receiving at least a portion of electronic data reports from at least one external source, wherein the electronic data reports comprise electronic data collected and compiled, and reported based at least in part on a priority system (see col. 55, lines 54 to col. 56, lines 2, Fig. 2 et seq); and

(b) displaying at least a portion of the electronic data reports as a computer output (see col. 55, lines 10-21).

Ginter does not explicitly indicate the claimed "reports".

Wilke discloses the claimed reports (scoreboard under the control of the game controller automatically displays the present game score and number of possible results "reports" for each play, see col. 1, lines 44-58, Wilke).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention, to combined the teachings of the cited references because scoreboard data of Wilke's teachings would have allowed Ginter's system to generate all play action automatically, as suggested by Wilke at col. 1, lines 8-11 et seq. Further, reports as taught by Wilke improves to display all results instantly in the time frame (see col. 2, lines 32-34, Wilke).

As to claim 22,

Ginter teaches wherein said electronic data reports comprise data at least partially relating to online or internet activity (see col. 55, lines 63-67 et seq).

As to claim 23,

Ginter teaches wherein said priority system comprises comparing one or more threshold values to one or more statistical or representative values of at least a portion of the collected electronic data (see col. 305, lines 44-51).

As to claim 24,

Ginter discloses an article (see Abstract) comprising:

a storage medium having stored thereon instructions, that when executed by a computing platform, result in execution of an electronic report generator (see col. 38, lines 23-45 et seq), by:

collecting electronic data from at least one external source (see col. 33, lines 54-66 et seq);

compiling said collected electronic data (see col. 33, lines 54 to col. 34, lines 10 et seq); and

reporting said compiled electronic data based at least in part on a priority basis (see col. 55, lines 60 to col. 56, lines 2, Fig. 2 et seq).

Ginter does not explicitly indicate the claimed "report".

Wilke discloses the claimed report (scoreboard under the control of the game controller automatically displays the present game score and number of possible results "reports" for each play, see col. 1, lines 44-58, Wilke).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention, to combined the teachings of the cited references because scoreboard data of Wilke's teachings would have allowed Ginter's system to generate all play action automatically, as suggested by Wilke at col. 1, lines 8-11 et seq. Further, reports as taught by Wilke improves to display all results instantly in the time frame (see col. 2, lines 32-34, Wilke).

As to claim 25,

Ginter teaches wherein said medium further has stored thereon instructions that,

when executed, result in said electronic data being compiled by inserting at least a portion of said collected electronic data into one or more data fields (see col. 38, lines 23-45).

As to claim 26,

Ginter teaches wherein said medium further has stored thereon instructions that, when executed, result in determining one or more measurement

values of said electronic data, wherein said measurement values comprise one or more representative values of at least a portion of said collected electronic data (see col. 38, lines 23-45 et seq).

As to claim 27,

Ginter teaches wherein said medium further has stored instructions that, when executed, result in determining priority based at least in part on the comparison of said one or more measurement values to one or more threshold values, wherein said one or more threshold values comprises one or more numerical values that relate at least in part to said one or more measurement values (see col. 305, lines 44-51 et seq).

With respect to claim 28,

Ginter discloses a system for generation of electronic reports (see col. 55, lines 7-21, Fig. 2) comprising:

a computing platform (see col. 55, lines 7-21);

said computing platform being adapted to, in operation, perform the generation of electronic reports (see col. 55, lines 61 to col. 56, lines 2 et seq) by:

collecting electronic data from at least one external source (see col. 33, lines 53-66 et seq);

compiling said collected electronic data (see col. 38, lines 23-45 et seq); and

reporting said compiled electronic data based at least in part on a priority basis (see col. 55, lines 10-23 et seq).

Ginter does not explicitly indicate the claimed "reports".

Wilke discloses the claimed report (scoreboard under the control of the game controller automatically displays the present game score and number of possible results "reports" for each play, see col. 1, lines 44-58, Wilke).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention, to combined the teachings of the cited references because scoreboard data of Wilke's teachings would have allowed Ginter's system to generate all play action automatically, as suggested by Wilke at col. 1, lines 8-11 et seq. Further, reports as taught by Wilke improves to display all results instantly in the time frame (see col. 2, lines 32-34, Wilke).

As to claim 29,

Ginter teaches wherein compiling said collected electronic data further comprises inserting at least a portion of said collected electronic data into one or more data fields (see col. 38, lines 23-45 et seq).

As to claim 30,

Ginter teaches wherein compiling said collected electronic data further comprises determining one or more measurement values of said collected electronic data, wherein said one or more measurement values comprise one or more representative values of at least a portion of said collected electronic data (see col. 36, lines 56 to co. 37, lines 10 et seq).

As to claim 31,

Ginter teaches wherein said priority basis is determined based at least in part on a comparison of said one or more measurement values to said one or more threshold values, wherein said one or more threshold values comprise one

or more numerical values that relate at least in part to said one or more measurement values (see col. 305, lines 44-51 et seq).

Contact Information

4. Any inquiry concerning this communication or earlier communications from The examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or Customer Service (703) 306-5631. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for any communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Mohammad Ali

Patent Examiner

AU 2177

MA

June 17, 2004